IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.28748 of 2008
MD.HABIB @ HABIB MIYA S/O ISMAIL MIAN, R/O VILLAGE-SODHANA MADHOPUR, P.S. SIWAIPATTI, DISTRICT- MUZAFFARPUR
Versus
THE STATE OF BIHAR
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3 10/12/2008 Heard learned counsel for the petitioner and learned counsel representing the State.

The petitioner is an accused of a case which has been registered against 30-40 unknown dacoits regarding dacoity committed in the house of the informant.

Submission is that the petitioner is not named in the FIR and he has not been put on test identification parade. No incriminating article has been recovered from his possession. Name of the petitioner has come on the basis of confession of co-accused Samsul Mian @ Soneful Mian who has been admitted to bail by this court vide order dated 29.11.2006 passed in Cr. Misc. No. 48518 of 2006. The petitioner is in custody since 17.3.2008. Other accused persons namely, Gail Mian, Shinath Bhagat, Israil Mian, Bachu Sahni and Suresh Sahni have been admitted to bail by the different orders of this court.

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Considering the facts and circumstances of the case, the petitioner Md. Habib @ Habib Miya is directed to be released on bail on furnishing of bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the C.J.M., Muzaffarpur in connection with Minapur P.S. Case No. 7 of 2006.

avin **(Shyam Kishore Sharma, J.)**